

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE DIVISION

ROTATING SOLUTIONS INC

CASE NO. 6:21-CV-01377

VERSUS

JUDGE ROBERT R. SUMMERHAYS

T A V HOLDINGS INC ET AL

MAGISTRATE JUDGE DAVID J. AYO

J U D G M E N T

Before this Court is a MOTION TO DISMISS (Rec. Doc. 76-1) filed by defendant Thomas Valerio ("Valerio") and a PARTIAL MOTION TO DISMISS (Rec. Doc. 77) filed by defendant TAV Holdings, LLC ("TAV"). These motions were referred to United States Magistrate Judge David J. Ayo for report and recommendation pursuant to 28 U.S.C. § 636. After an independent review of the record, noting the absence of objections filed, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own. Accordingly, it is hereby

ORDERED, ADJUDGED, AND DECREED that, consistent with the report and recommendation, Valerio's Motion to Dismiss (Rec. Doc. 76) is GRANTED as to Plaintiff's contractual fraud and delictual claims against Valerio arising out of Leases 3 and 4 and DENIED in all other respects. It is further

ORDERED, ADJUDGED, and DECREED that, consistent with the report and recommendation, TAV's Partial Motion to Dismiss (Rec. Doc. 77) is GRANTED as to Plaintiff's claims for contractual and delictual fraud arising out of Leases 3 and 4, and Plaintiff's claim for unjust enrichment. TAV's motion is DENIED in all other respects.

THUS DONE AND SIGNED at Lafayette, Louisiana, this 19th day of December, 2023.


ROBERT R. SUMMERHAYS
UNITED STATES DISTRICT JUDGE